

Remarks

Applicants have carefully reviewed this Application in light of the Office Action mailed February 4, 2005. Applicants believe all pending claims, as originally submitted, are allowable over the references cited by the Examiner. Accordingly, Applicants respectfully request reconsideration and favorable action in this case.

Specification

Applicants have amended the specification to specify that the three related applications are being issued as U.S. Patent Nos. 6,512,762, 6,466,573, and 6,404,763.

Claim Objections

Applicants have amended Claim 4 to change "the processing module" to "the integrated access device."

Double Patenting Rejection

Under the judicially created doctrine of double patenting, the Examiner rejected claim 8 as being unpatentable over Claims 1 and 11 of U.S. Patent No. 6,404,763. Applicants disagree with the Examiner's statements characterizing the subject matter claimed in this application and its relationship to the claims of U.S. Patent No. 6,404,763. Claim 8 of the instant application is patentably distinct from Claims 1 and 11 at least for the reasons that Claims 1 and 11 do not require "the data packet service module further operable to communicate the data packets to an analog signal service module in a first mode of operation and to communicate the data packets over a local loop circuit to customer premises equipment in a second mode of operation" or "an interface operable to communicate the telecommunication information not encapsulated in data packets in a third mode of operation," as recited in Claim 8.

Claim Rejections

The Examiner rejected Claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,574,313 issued to Chea, Jr. et al. ("*Chea*").

Independent Claim 1 and Dependent Claims 2-7

Independent Claim 1, as amended, recites:

A system for providing lifeline telecommunication service, comprising:

a gateway operable to receive telecommunication information from a telecommunication switch, to generate data packets for communicating the telecommunication information in a first mode of operation and in a second mode of operation, and to communicate the telecommunication information not encapsulated in data packets in a third mode of operation;

an analog signal service module remotely coupled to the gateway and operable to receive the data packets from the gateway in the first mode of operation, to receive the telecommunication information not encapsulated in data packets in the third mode of operation, and to generate a first analog telephone signal for communicating the telecommunication information over a local loop circuit; and

an integrated access device coupled to the local loop circuit and operable to receive the first analog telephone signal from the analog signal service module and to communicate the first analog telephone signal to a subscriber line in the first and third modes of operation, the integrated access device further operable to receive the data packets from the gateway, to process the data packets to generate a second analog telephone signal communicating the telecommunication information, and to communicate the second analog telephone signal to the subscriber line in the second mode of operation.

Chea does not disclose, teach, or suggest “a gateway operable . . . to communicate the telecommunication information not encapsulated in data packets in a third mode of operation” or “an analog signal service module remotely coupled to the gateway and operable . . . to receive the telecommunication information not encapsulated in data packets in the third mode of operation, and to generate a first analog telephone signal for communicating the telecommunication information over a local loop circuit,” as recited in Claim 1. In *Chea*, gateway 4 and IAC-C 104 communicate using data packets. *Chea* does not disclose another form of communication between gateway 4 and IAC-C 104. For at least this reason, *Chea* does not disclose, teach, or suggest the system of Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 1, as well as Claims 2-7 which depend from Claim 1

Independent Claim 8 and Dependent Claims 9-13

Independent Claim 8, as amended, recites:

A system for providing lifeline telecommunication service to customer premises equipment, comprising:

a telecommunication interface operable to receive telecommunication information from a telecommunication switch;

a data packet service module coupled to the telecommunication interface and operable to receive the telecommunication information from the telecommunication interface and to generate data packets for communicating the telecommunication information, the data packet service module further operable to communicate the data packets to an analog signal service module in a first mode of operation and to communicate the data packets over a local loop circuit to customer premises equipment in a second mode of operation; and

an interface operable to communicate the telecommunication information not encapsulated in data packets in a third mode of operation.

Chea does not disclose, teach, or suggest “an interface operable to communicate the telecommunication information not encapsulated in data packets in a third mode of operation,” as recited in Claim 8. In *Chea*, gateway 4 and IAC-C 104 communicate using data packets. *Chea* does not disclose another form of communication between gateway 4 and IAC-C 104. For at least this reason, *Chea* does not disclose, teach, or suggest the system of Claim 8. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 8, as well as Claims 9-13 which depend from Claim 8.

Independent Claim 14 and Dependent Claims 15-20

Independent Claim 8, as amended, recites:

A method of providing lifeline telecommunication service to customer premises equipment using a gateway, comprising:

receiving telecommunication information from a telecommunication switch;

generating data packets for communicating the telecommunication information in a first mode of operation and a second mode of operation;

communicating the data packets to an analog signal service module in a the first mode of operation;

communicating the data packets over a local loop circuit to customer premises equipment in a the second mode of operation; and

communicating the telecommunication information not encapsulated in data packets to the analog signal service module in a third mode of operation.

Chea does not disclose, teach, or suggest “communicating the telecommunication information not encapsulated in data packets to the analog signal service module in a third mode of operation,” as recited in Claim 14. In *Chea*, gateway 4 and IAC-C 104 communicate using data packets. *Chea* does not disclose another form of communication between gateway 4 and IAC-C 104. For at least this reason, *Chea* does not disclose, teach, or suggest the method of Claim 14. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 14, as well as Claims 15-20 which depend from Claim 14.

CONCLUSION

Applicants have made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jeffery D. Baxter, Attorney for Applicants, at the Examiner's convenience at (214) 953-6791.

Applicants believe that no fees are due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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